

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

**FILED**

AUG 08 2018

Clerk, U S District Court  
District Of Montana  
Billings

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN FRANCIS MCDERMOTT,

Defendant.

CR 18-69-BLG-SPW

ORDER

The Bureau of Prisons has designated Federal Detention Center–SeaTac as the facility where Defendant John Francis McDermott will undergo an evaluation to determine his competency to proceed in this matter.

Accordingly, IT IS ORDERED:

1. John Francis McDermott is remanded to the custody of the United States Marshals Service for immediate transport to this facility.
2. The United States Marshals Service shall take no more than ten (10) days each way to transport John Francis McDermott from the District of Montana to the designated federal facility and to return John Francis McDermott from the designated federal facility back to the District of Montana. *See* 18 U.S.C. § 3161(h)(1)(F).

3. John Francis McDermott shall be committed to the facility and subjected to a psychiatric or psychological examination to be conducted in accordance with 18 U.S.C. §§ 4241(b) and 4247(b) and (c). The evaluation shall be completed within thirty (30) days of John Francis McDermott's arrival at the facility. 18 U.S.C. § 4247(b).

4. The report shall be filed with the Court, with copies to counsel for the Defendant and the Government.

5. All time from the date of this Order until the date of the Court's determination as to John Francis McDermott's competency is excludable under the Speedy Trial Act. 18 U.S.C. § 3161(h)(1)(A) and (F).

6. The Clerk of Court is directed to immediately notify the parties and the United States Marshals Service of the entry of this order.

DATED this 14<sup>th</sup> day of August, 2018.

  
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SUSAN P. WATTERS  
United States District Judge